IN THE HIGH COURT OF JUDICATURE AT BOMBAY
APPELLATE SIDE

APPEAL FROM ORDER NO.813 OF 2005
IN
LONG CAUSE SUIT NO.3235 OF 2005

Shri Nagorao Masanji Kamble — Appellant
vs.
The Bombay Municipal Corporation of Gr. Bombay — Respondents

Mr.K.K.Pandey for the appellant.

Mr.R.A.Malandkar for the respondent-B.M.C.

CORAM : B.H. MARLAPALLE,J.

DATED : 6th September 2005

P.C.

By the order dated 12.8.2005, the learned Judge of the City Civil Court was pleased to reject the prayer for ad-interim relief. The notice of motion was directed to be registered and it has been made returnable on 16.9.2005.

2. It is clear that the plaintiff extended the bedroom without permission from the Mumbai Municipal Corporation but claimed that the Society had given him permission and the Corporation officials had orally informed that no special permission was required once the society had permitted. The prima facie view taken by the trial Court does not call for any interference and, therefore, there is no reason to entertain this appeal.

3. The appeal is dismissed in limine.

4. Civil Application does not survive.

(B.H. MARLAPALLE,J.)